

Applicants : Tove Ringerike et al.  
Serial No. : 10/577,268  
Int'l Filing  
Date : December 18, 2006  
Page 2 of 3 : Response To January 4, 2012 Office Action

**REMARKS**

In the January 4, 2012 Office Action, the Examiner alleged that new claims 53-58 containing new SEQ ID NO's: 36-40 are directed to more than one species of the generic invention, and required selection of one species to which claims shall be restricted if no generic claim is finally held allowable. Specifically, the Examiner required Applicants to select a single species for prosecution in the following category:

1. a SEQ ID NO from among SEQ ID NO's: 36-40.

In response, Applicants respectfully note that it appears the Examiner neglected to consider Applicants' August 31, 2011 Supplemental Amendment which amended claims 8, 45, 46 and 54 to correct typographical inconsistencies in the SEQ ID NO's as identified in an August 25, 2011 telephone conference with the Examiner.

In the August 25, 2011 telephone conference, the Examiner identified typographical inconsistencies in the SEQ ID NO's and indicated that the subject application would be in condition for allowance once amended to address these inconsistencies. The typographical inconsistencies were addressed in the August 31, 2011 Supplemental Amendment and, accordingly, Applicants believe that the claims as amended are in order for allowance.

In the August 31, 2011 Supplemental Amendment, claim 54, drawn to a control cell line transformed with a plasmid selected from SEQ ID NO's:36-40, was amended to correctly refer to SEQ ID NO's:34-36 and 1-2. The sequence corresponding to pCA-dlEGFP, previously SEQ ID NO:39, was amended to recite SEQ ID NO:2.

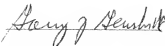
Therefore, to be fully responsive, Applicants hereby elect SEQ ID NO:2, encompassed by claims 8 and 45-58, and respectfully request rejoinder of restricted species.

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If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this Response. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being transmitted via the Electronic Filing System (EFS) to the U.S. Patent and Trademark Office on the date below.

 2-6-12  
Philip A. Alfred Date